

# **BROOKINGS COUNTY COMMISSION MEETING**

**Tuesday, December 20, 2005**

The Brookings County Board of County Commissioners met in regular session on Tuesday, December 20, 2005, with the following members present: Dennis Falken, Mary Negstad, Donald Larson, Deanna Santema, and Emil Klavetter. Also present: Stephanie Vogel, Wm. Mark Kratochvil, Kelly Bakken, Kristin Olsen, Robert Hill, Ted Eggebraaten, Vicki Buseth, Ron Bannwarth, Bob Miller, Aaron Tonsager, Russell Olson, Brian Eclov, and John Kubal.

## **CALL TO ORDER**

Chairperson Falken called the meeting to order.

## **CONSENT AGENDA**

Chairperson Falken declared the Consent Agenda approved as amended with no objection from the board.

The Consent Agenda consisted of the agenda for the December 20, 2005 Commission Meeting, and the minutes from the December 13, 2005 Commission Meeting.

## **ROUTINE BUSINESS**

Highway Superintendent, Ted Eggebraaten met with the board to give a Bridge and Fuel update.

Zoning and Drainage Director, Robert Hill met with the board to discuss the E911 Sign Program and the upcoming Zoning Ordinance Meeting.

Deputy Auditor, Kelly Bakken presented the board with the Auditor's Report.

Be it noted, Register of Deeds statement of fees was filed in the County Auditor's Office collected for the month of November 2005 in the amount of \$20,657.00.

Zoning and Drainage Director, Robert Hill met with the board to present the following plat for approval.

Motion by Klavetter, seconded by Larson, to approve for recording purposes and authorize Chairperson Falken to sign Resolution 05-56; A Resolution for the plat of Lot 1, Lake Poinsett Lagoon Addition in the NE ¼ of the SW ¼ and the SE ¼ of the SW ¼ of Section 4-112-52 in the County of Brookings, South Dakota. Role Call Vote: Larson "Aye," Negstad "Aye," Santema "Aye," Klavetter "Aye," Falken "Aye." Motion passes.

Motion by Santema, seconded by Negstad, to approve the following Automatic Supplement for unanticipated expenses incurred and reimbursement made to Brookings County. Department: Zoning and Drainage; Amount: \$367.29; Reason: Travel Reimbursement for FEMA class (airline ticket not used); Receipt # 94042: Line #10100X4270162. Roll Call Vote: Negstad "Aye," Santema "Aye," Klavetter "Aye," Larson "Aye," Falken "Aye." Motion passes.

Motion by Negstad, seconded by Klavetter, to approve the following Automatic Supplement for unanticipated expenses incurred and reimbursement made to Brookings County. Department: Zoning and Drainage; Amount: \$410.29; Reason: Travel Reimbursement for FEMA class (airline ticket); Receipt # 94044: Line #10100X4270711. Roll Call Vote: Santema "Aye," Klavetter "Aye," Larson "Aye," Negstad "Aye," Falken "Aye." Motion passes.

### **REGULAR BUSINESS**

Bob Miller, Interim Director of the SDSU Growth Partnership Research Park met with the board to present plans for the SDSU Growth Partnership Research Park.

### **PUBLIC HEARING**

As scheduled, a Public Hearing was held to consider a request to rezone the following property from Agricultural District to Lake Park District, Lots H-3; and Lots 1-12, Block 1; and Lots 1-11, Block 2, in Sunset Point Addition in Government Lot 3 & \$ of Section 22-112-47, Brookings County. Chairperson Falken opened the Public Hearing, calling for proponents and opponents. Zoning & Drainage Director, Robert Hill met with the board to discuss the rezoning. Motion by Larson, seconded by Klavetter, 'To Call the Question.' Roll Call Vote: Klavetter "Aye," Larson "Aye," Negstad "Aye," Santema "Aye," Falken "Aye." 'Call the Question' passes. Chairperson Falken closed the Public Hearing.

### **REGULAR BUSINESS**

Motion by Santema, seconded by Negstad, to approve and authorize Chairperson Falken to sign Resolution # 05-54. A Resolution Authorizing Rezoning of Property from Agricultural District to Lake Park District. Role Call Vote: Larson "Aye," Negstad "Aye," Santema "Aye," Klavetter "Aye," Falken "Aye." Motion passes.

## **Resolution #05-54**

### **A Resolution Authorizing Rezoning of Lot H-3, and Lots 1-12, Block 1; and Lots 1-11, Block 2; in Sunset Point Addition**

WHEREAS, an application was made to the Brookings County Board of Adjustment to rezone Lots H-3; and Lots 1-12, Block 1; and Lots 1-11, Block 2; in Sunset Point Addition, from Agricultural District to Lake Park District,

WHEREAS, the Brookings County Zoning Board approved the application to rezone at its December 6, 2005 meeting;

WHEREAS SDCL 11-2-30 requires the Brookings County Commission to adopt or reject the change;

THEREFORE BE IT RESOLVED, that the following property be rezoned from Agricultural District to Lake Park District:

Lot H-3; and Lots 1-12, Block 1; and Lots 1-11, Block 2; in Sunset Point Addition in Government Lot 3 & 4 of Section 22, Township 112 North, Range 47 West of the 5<sup>th</sup> Principal Meridian, Brookings County, South Dakota.

Dated this 20th day of December, 2005

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Dennis Falken, Chairman  
Brookings County Commission

ATTEST:

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Kelly Bakken, Deputy Auditor  
Brookings County

Bob Miller resumed with his presentation.

Commission Assistant/Human Resource Director, Stephanie Vogel met with the board to present the 2006 Agreements between General Drivers & Helpers Union Local 749 and Brookings County Highway and Sheriff's Departments.

Commissioner Negstad left the meeting.

Motion by Larson, seconded by Klavetter, to approved and authorize Chairperson Falken to sign the 2006 Agreement between General Drivers & Helpers Union Local 749 Affiliated with the International Brotherhood of Teamsters and Brookings County Highway Department. Roll Call Vote: Santema "Aye," Klavetter "Aye," Larson "Aye," Falken "Aye." Motion passes.

Motion by Santema, seconded by Klavetter, to approved and authorize Chairperson Falken to sign the 2006 Agreement between General Drivers & Helpers Union Local 749 Affiliated with the International Brotherhood of Teamsters and Brookings County Sheriff's Department. Roll Call Vote: Santema "Aye," Klavetter "Aye," Larson "Aye," Falken "Aye." Motion passes.

Commissioner Negstad joined the meeting.

Motion by Larson, seconded by Negstad, to approved and authorize Chairperson Falken to sign the 2006 Juvenile Detention Per Diem Contract between Minnehaha County and Brookings County. Roll Call Vote: Klavetter "Aye," Larson "Aye," Negstad "Aye," Santema "Aye," Falken "Aye." Motion passes.

Highway Superintendent, Ted Eggebraaten met with board to present Resolution # 05-55, a Resolution authorizing the purchase of four motorgraders based upon the price established through the County of Walworth South Dakota, bid process.

Motion by Negstad, seconded by Klavetter, to approve and authorize Chairperson Falken to sign Resolution # 05-55, a Resolution authorizing the purchase of four motorgraders based upon the price established through the County of Walworth South Dakota, bid process. Role Call Vote: Larson "Aye," Negstad "Aye," Santema "Aye," Klavetter "Aye," Falken "Aye." Motion passes.

## ***RESOLUTION # 05-55***

**A RESOLUTION AUTHORIZING THE PURCHASE OF  
FOUR MOTORGRADERS BASED UPON THE PRICE  
ESTABLISHED THROUGH THE COUNTY OF WALWORTH  
SOUTH DAKOTA, BID PROCESS**

WHEREAS, the Brookings County Highway Department will need four (4) new motorgraders in 2006; and

WHEREAS, the COUNTY OF WALWORTH, SOUTH DAKOTA, has recently gone through a competitive bidding process for motorgraders, such bidding process culminating in the bids being opened on June 21, 2005; and

WHEREAS, BUTLER MACHINERY COMPANY was the lowest responsible bidder under such COUNTY OF WALWORTH, SOUTH DAKOTA, bid process and BUTLER MACHINERY COMPANY is willing to sell 2006 model Caterpillar motorgraders to BROOKINGS COUNTY under the same terms and options as available to the COUNTY OF WALWORTH, a copy of such bid specifications and bid having been filed at the Brookings County Auditor's Office; and

WHEREAS, pursuant to SDCL 5-18-18, BROOKINGS COUNTY is authorized to purchase equipment from the lowest responsible bidder of an item competitively bid by another local government entity at the bid price or less.

WHEREAS, Caterpillar motorgraders have an historically greater re-sale value; retain their value; are of higher quality and dependability than other motorgraders, and generally costs less to operate.

NOW THEREFORE, BE IT RESOLVED that the Brookings County Highway Department is hereby authorized and directed to purchase Four (4) Caterpillar motorgraders from BUTLER MACHINERY COMPANY based upon the bid price, or less, as established through the competitive bidding process of the COUNTY OF WALWORTH, SOUTH DAKOTA, with the unit and specifications as follows:

2006 Caterpillar Model 140H Motor Grader

With all standard equipment, warranties and guarantees  
As described in the COUNTY OF WALWORTH bid  
Specifications; together with options including but not  
Limited to:

100 A Alternator  
Lights, Cab Mounted  
Lights, Work  
Warning Light, Cab Mounted  
AC W/Heater  
Front & Rear Defrost  
Cloth Air Susp Seat  
Mirrors, Outside Mounted  
Radio  
Engine, VHP Triple Setting (Plus)  
Air Dryer

1300 Amp Batteries, HD  
Heater, Engine Coolant  
Hyd, Base & 3 Functions  
Lines, Front Lift  
Wiper, Rear  
Cutting Edge  
Tires, 14R 24 Radial  
Rims, 10" x 24"  
Lights, RH Wing  
Speedometer & Tachometer  
Autoshift Transmission  
Heavy duty Articulation Cylinders  
14' x 27" x 1" Blade Moldboard  
(5/8" Hardware)  
5 year or 7,500 Hour – 100% Warranty including Mileage

Price per unit: \$171,010.00  
F.O.B.- Brookings County

IT IS FURTHER RESOLVED that such purchase shall be for delivery  
on or before July 31, 2006.

Adopted this 20th days of December, 2005.

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Dennis Falken  
Chairperson  
Brookings County Board of County  
Commissioners

ATTEST:

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Kelly Bakken  
Brookings County Deputy Auditor

Deputy States Attorney, Wm. Mark Kratochvil met with the board to discuss and  
present the Easement for use of County Road Right-Of-Way form. Motion by Klavetter,  
seconded by Santema, to approve the Easement for use of County Road Right-Of-Way

form. Roll Call Vote: Negstad "Aye," Santema "Aye," Klavetter "Aye," Larson "Aye," Falken "Aye." Motion passes.

Human Resources/Technology Assistant, Kristin Olsen met with the board to discuss Personnel Matters, the Attrition Report, Correspondence, and Invitations.

Be it noted, the Board approved the following Personnel Action Notice: Annual Review: Jon Pike from \$19.06 to \$20.20 (effective January 2006.)

### **EXECUTIVE SESSION**

Motion by Santema, seconded by Negstad, to enter into executive session at 9:48am. Roll Call Vote: Santema "Aye," Klavetter "Aye," Larson "Aye," Negstad "Aye," Falken "Aye." Motion passes. Chairperson Falken declared executive session over at 10:13am. Reason - Legal Matters. No action at this time.

### **COMMISSIONER'S OPEN DISCUSSION**

Commissioner Santema reported on the Emergency Management's Command Center.

Commissioner Klavetter reported on the Emergency Management's Command Center.

Commissioner Negstad reported on the Emergency Management's Command Center.

Commissioner Falken reported on the Weed Board Meeting and the Workers Compensation Board of Trustees Meeting.

### **ADJOURNMENT**

There being no further business, Chairperson Falken declared the meeting adjourned until Tuesday, December 27, 2005.

It is the policy of Brookings County, South Dakota, not to discriminate against the Handicapped in Employment or the Provision of Service. The County of Brookings is responsive to requests for communication aids and the need to provide appropriate access, and will provide alternative formats and accessible locations consistent with the Americans with Disabilities Act.

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Kelly Bakken  
Deputy Auditor  
Brookings County Auditor's Office